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June 13, 2023

Delivered Via Email: [dnagase@dal.ca]

Dr. Daniel Nagase
1038 Alice Birch Pt. North
Lethbridge, AB T1H 7B9

Dear Dr. Nagase:

Re: Logical Surprises - Blog Posts (BLG 014758.576)

Our office represents Alberta Health Services (“AHS”).

I am contacting you regarding a blog called Logical Surprises with a website address of <https://danielnagase.substack.com>. There are two posts publicly accessible on that blog entitled “A deadly day in the ER: My thoughts on a patient’s deadly ER visit” (May 2, 2023) and “The Difference Between Negligence and Homicide: a process in thought” (May 22, 2023) (collectively, the “**Posts**”) respectively and of which you are indicated to be the author.

The Posts contain various statements regarding, amongst other things:

1. The quality of care provided to a patient (the “**Patient**”) at an AHS facility;
2. The existence of a causal connection between the quality of care received by the Patient and the Patient’s death;
3. The implication that the Patient’s death was attributable to the physicians involved in the Patient’s care at the AHS facility and under the oversight of AHS;
4. The suggestion that AHS would seek to remove a competent physician from AHS facilities;
5. The suggestion that AHS does not seek to protect the health and wellbeing of patients;
6. The suggestion that AHS should be investigated for “homicide” in relation to the Patient; and
7. The quality of care provided to a resident of British Columbia.

In addition, both Posts includes images of excerpts of the Patient’s confidential health records as well as the private health records of the resident of B.C. The May 2, 2023, post also includes what appears to be transcriptions of the Patient’s confidential health information.

AHS is sympathetic to the Patient's family and friends for their loss. AHS does not, however, agree with the statements contained in the Posts with respect to that circumstances surrounding the Patient's death and considers the statements made in this regard to be reckless, vexatious and defamatory. AHS was (and continues to be) committed to providing safe, quality care to our patients, which included the care provided to the Patient. Moreover, the publication of private health records of the Patient (and the resident of B.C.) is a significant abuse of your position as a provider of health care services.

The Posts are currently publicly accessible. We hereby demand that you immediately take down the Posts.

Yours truly,

BORDEN LADNER GERVAIS LLP



PATRICK HEINSEN, K.C.

cc. Sarah Louw, AHS legal counsel